

Jurisdiction: 42 U.S.C. § 1983, Texas Tort Claim Act

U.S. DISTRICT COURT NORTH DISTRICT OF TEXAS
FILED
MAY 11 2021
CLERK, U.S. DISTRICT COURT
By <u>a</u>

QUESTION NO. 1: You maintain that the negligence of Defendant Barber allowed you to be assaulted by another inmate. Please list all facts known to you supporting this allegation. Please include all facts known to you indicating that Defendant Barber knew, before the alleged assault, that the inmate who you allege attacked you was dangerous and posed a risk of harm to you.

Condition of Confinement / Episodic Act or Omission

- 1.) **ANSWER:** Dallas County Jail "Special Custody Unit", is the restrictive housing / unit within the restrictive housing / unit is Medical Dept. This restrictive housing / unit is mandatory that all staff assigned to restrictive housing / unit known as Special Custody Unit, that all inmates be handcuffed, and supervised, because this protocol was not followed, executed to the Rule, Regulations, Policy of Special Custody Unit, the neglected practice by 2 Staff members.
- A.) Defendant Barber, in who was responsible for my Reasonable Safety / Health, while I was handcuffed.
- B.) Unknown Defendant, in who was responsible for inmate Wheaton, Deaaron # 19002053, was not handcuffed, and out of sight for supervision.
- 2.) Both these staff member failed, while knowing the rules of engagement outline in Special Custody Unit, left two inmates un-supervised, while I was handcuffed, unable to protect myself, and the other inmate, not handcuffed, assaulted me constitutes Cruel / Unusual Punishment under 8th Amend, U.S. Const.
- 3.) As a result of the assault, I had severely injured both my wrist, where cuffed cut, damage nerves, compound-ing up my shoulder, into my spine, which has slowly gotten worst over the months since assault.
- 4.) As a result of the assault, I have ongoing traumatic flashback, Post-Traumatic Stress Disorder, which is Mental / Emotional Injuries.
- 5.) Condition of Confinement was illegal punishment, from pain, and on going Chronic Pain from assault, occurring in a Restrictive Special Custody Unit, where staff are suppose to handcuff inmates, and keep supervision over them, for Reasonable Protection of thier Safety / Health ..

Case 3:20-cv-00765-EBT Document 15 Filed 05/11/21 Page 2 of 36 PageID 75

6.) My injuries reflect in Attachment - 1, Pgs 1-6.

7.) Solis looks female to any naked eye. See Attachment 1 - Pgs 5.

8.) Less than reasonable protection look like photos in Attachment 1, Pg. 4, 5, 6.

9.) Report of Assault, provided in Attachment 1, Pg. 1, 2, and 3.

Transgender Discrimination

QUESTION NO. 2: With respect to each Defendant named in your Complaint, do you contend that said Defendant's actions as alleged in your complaint amounted to a negligent failure to act reasonably, or do you allege that he or she was deliberately indifferent?

1.)

ANSWER:

5th Amend, U.S. Const. Due Process
And

1st Amend U.S. Const. Petition For Redress, ...

1.) Deprived of right to petition the Gov't for redress of grievance, and Access to Court, by J. Cox, who conspired with all investigating officers by:

a.) failure to respond to my grievance
See Civil Rights Complaint. Pg. 15-A,
and Pg. 16-A.

b.) Caused information of creditability of Eye witness, Statements, Video Camera, Medical Reports of injuries Suppressed.

c.) This conspiracy reflects inmate Solis right were violated in a gross way, and failure to respond to grievance would reflect staff's were responsible for Solis protection Safety, Health, to prevent a investigation into their conduct which would involved money and Administrative Review, of accountability of Assault and injuries

2.) (See Attachment - 1)

8th Amend, U.S. Const. Cruel/unusual Punishment,

1.) In Restrictive Special Housing Unit, (SHU) Mr. Barber / unknown Staff in charge of me and other inmate Mr. Wheaton, were negligent in failure to act to provide Reasonable Protection / safety by not following S.H.U. Rule / Policy, as a result I was assaulted while handcuffed by Mr. Wheaton, who was not handcuffed. These staff knew all inmate must be handcuffed constitutes Deliberate indifference / Punishment

2.) In addition to enforcement of S.H.U. rules, police. Sgt. D. Wideman, County Sheriff Marian Brown, U.S. Marshal and Defendant # 7, did not alert, or were not alerted that Rene Solis, was transgender, more prone to assaults, injuries, requires more supervision, and reasonable protection is negligent failure to act reasonably and is deliberately indifferent to provide reasonable protection for Safety / Health. A Breach of Security and Safety in County Jail's Program by Negligence Supervision in Operation of Jail.

4 3.) They provided less than reasonable protection.

Cont. Next Pg. 4A

3.)
14th Amend, U.S. Const. Equal
Protection CL.

- 1.) All employees, failed to properly identify me as transgender, and protect me under Sexual Identity as a result:
- A) Barber did not want to supervise me while in handcuffs, in a Special Custody Unit, mandating All inmates are to be properly Supervised, for my personal Safety and Health.
- B.) J. Cox did not want me to exercise my right to petition for redress of grievance, to have my assault properly investigated because of my Transgender Identity.
- C.) They provided less than reasonable protection

4.)
Texas Tort Claim Act

- 1.) All Dallas County Jail Employees
My Physical/Mental/Emotional Injuries, caused by all employees negligence, wrongful acts, and omission, of their duty, done under discrimination against my Transgender Status, provided less than reasonable protection.

5.)

Federal Tort Claim Act

1.) U.S. Marshals

My Physical/Mental/Physical injuries caused by Agents Negligence/omission of their duty, to properly notify the Employees of Dallas County Jail, of my Transgender Nature, required more reasonable protection.

Transgender Discrimination

QUESTION NO. 3: You claim that Defendant J. Cox "refused to answer and allow me to use the grievance procedure." Please state all facts known to you supporting this allegation and please explain how you were harmed by Defendant J. Cox's actions.

ANSWER: In original compliant Pg 15-A, title "Dallas County Sheriff's Department Inmate Grievance Committee" reflects, no action or proceeding has started, into Pg. 16-A, title: "Inmate Grievance Compliant Form" which identifies another existing "previous grievance, which to this date has not been resolved.", which is identified in Pg. 9-A Ln. 9 - Solis completed an affidavit and it is attached to this report. [Pg. 9-A did not have Solis affidavit, as it is still currently being withheld.] In Dallas County Handbook, I was entitled to file compliant at the very start after the assault. This affidavit was detailed and identified individuals and their actions/inactions of why/how I was assaulted. This affidavit was not made part of the record, as Pg. 9-A, reflects at bottom page no staff review incident report. The investigator Mr. J. Cox, has concealed the whole incident by not investigating a assault, committed by a unhandcuffed inmate, against me, a handcuffed inmate, in a restrictive Special Custody Unit, requires all inmates are to be placed in handcuffs. Defendant J Cox did work in concert with all investigating Staff Members, to suppress Defendant Barber and Unknown Staff - who failed to handcuff inmate Wheaton is negligence supervision, caused me to be physically, mentally and emotionally injured, w/ prolong Post-Traumatic Stress Disorder, and ongoing chronic pain in my spine, wrist. Mr Cox, and investigators fail to report attack on me to United States Marshals, See Attachment 1, Pg. 1, it reflects Medical was the one to report assault, reflected in Attachment 1 Pg. 1-6, depicts injuries.

Transgender Discrimination

QUESTION NO. 4: Do you contend that Defendant Wideman was personally involved in the violation of your civil rights, or that he is liable only as Defendant Barber's supervisor? State specifically what Defendant Wideman did or failed to do that injured you or violated your rights. To the extent that you claim Defendant Wideman implemented an unconstitutional policy or practice that injured you or violated your civil rights, please explain in detail what that policy or practice was and how you were injured by it.

- 1.) **ANSWER:** Defendant Wideman is liable only to being Barber's Supervisor in failure-to-protect, had authority to assign inmate Solis to Barber, identifying Solis as Transgender, making Solis a person who needs more protection as Transgender, constitutes Discrimination on Sex. as a result of a foreseeable action, in this case, Solis was attack, by inmate Wheaton, who stated "You fuckin faggot." [Somewhere within that verbal assault]
- 2.) Defendant Wideman supervision over Barber, would have alerted that transportation of a transgender, within a Restrictive Special Housing Unit, where all inmates are to be handcuffed, and supervised in plain eye view, by inmate central file, and Medical Records, did require more reasonable safety protection, and because of negligent supervision by Discrimination against Transgender, a inmate that was not handcuffed was free to punish Solis, by assault, while Solis was unable to protected against the injuries.
- 3.) Defendant Wideman should have assigned a Officer familiar with Transgender Custody/Supervision, to avoid any Discriminatory Behavior.

Transgender Discrimination

QUESTION NO. 5: You name Sheriff Marian Brown as a defendant.

a. Are you suing Sheriff Marian Brown in her official or individual capacity, or both? Both

b. Please state all facts, with specificity, known to you demonstrating that Sheriff Marian Brown failed to adequately train Defendant J. Barber. About not to be discriminatory against Transgender such a Solis, to provide reasonable protection

c. Do you contend that Sheriff Marian Brown was personally involved in the violation of your civil rights other than the alleged failure to train Defendant J. Barber? If so, please state all facts known to you supporting that contention. Yes, Sheriff failed to provide full information on Solis Transgender Status, in Record.

d. Do you contend that Sheriff Marian Brown implemented a policy, practice, or custom that caused the alleged violation of your civil rights? If so, please state all facts available to you concerning that policy, practice, or custom. Deliberate Indifferent to my looks, signals Transgender, requires

ANSWER: me to have more reasonable protection, did not take actions to assign a non-discriminatory Staff to supervise me, while in transportation to Special Custody Unit Medical, compounded with inadequate trained officers to provide more plain eye view supervision. And to have a Staff or Staffs allow a unhandcuffed inmate roam about freely, who was able to target on sight a Transgender, for a Injurious Assault. amounts to a common practice by Staff to be intentionally negligent to place inmates in handcuffs, especially while a transgender is handcuffed. Sheriff Marian Brown hires employees that will be negligent in their jobs and that are Discriminative. against Transgenders. Solis was handcuffed, unsupervised, Inmate Wheaton, not handcuffed not supervised, where were the Staff Members?

Jurisdiction: Federal Tort Claim Act

QUESTION NO. 6: Do you intend to sue the United States Marshal Service? If so, please state all facts available to you supporting such a claim.

ANSWER: 1.) Personal Injuries caused by Negligence,

Wrongful Act, Omissions by U.S. Marshals

2.) Injuries caused by Negligence, Wrongful Act,

Omissions by U.S. Marshals.

A.) Physical, Mental, Emotional Injuries caused by U.S. Marshals Civil Conspiracy against my Transgender Status, by placing me in the supervision of Dallas County Jail Employees. Without Notification that I was transgender, requires additional reasonable protection and supervision

QUESTION NO. 7: You state that "all other officers" in addition to Defendant Barber, "let Wheaton attack Solis as well"

- a. What other officers are you referring to? Please give full names to the extent possible. See Bottom
- b. Are the other officers to which you are referring state or federal officers? State
- c. Please state all facts available to you indicating that these other officers were aware that Wheaton posed a risk of harm to you prior to the alleged assault but failed to take measures to address that risk.

ANSWER: Names are identified in Original Compliant -

Pg 9-A; Incident Report DSO K. Smith, DSO S. McVay
DSO J. Barber and "I". SRT. L. Sanders
DSO T. Efunniqa, DSO J. Whisman.

Barber and Whisman, were 1st to take down Wheaton
placing both at the scene of the Assault. See Pg 9-A,
para. #12-13

DSO J. Whisman was in charge of Wheaton, who walked
onto the floor. See Pg 9-A, Para # 2, was aware that
inside Special Custody Units requires all inmates are to
be handcuffed, to prevent any risk of harm to any
other inmates including Staff Members, in this case
the risk of harm was carried out, by a assault to
my person, while I was handcuffed, and the other
inmate was not. Unhandcuffed inmate was hitting
me with hate " You fucking faggot"

QUESTION NO. 8: To your knowledge, are the Defendants named in your Complaint federal officers or affiliated instead with the Dallas County Jail or some other state prison?

ANSWER: A.) Federal Officers are Defendant 5A, namely U.S. Marshals

B.) Dallas County Jail are:

- | | | | |
|-----|------------------|----|---------|
| 1.) | D.S.O. J. Barber | as | Def. 1 |
| 2.) | D.S.O. J. Cox | as | Def. 3 |
| 3.) | Sgt. D. Wideman | as | Def. 4 |
| 4.) | Sheriff Brown | as | Def. 5 |
| 5.) | Unknown Staff | as | Def. 6. |
| 6.) | Unknown Staff | as | Def. 7 |

VERIFICATION

STATE OF TEXAS)
)
COUNTY OF Dallas)

I understand that a false statement or answer to any question in this cause of action will subject me to penalties for perjury. I hereby declare (or certify, verify or state), under penalty of perjury, that the foregoing answers are true and correct. (28 U.S.C. § 1746).

SIGNED on this 3 day of Mayo, 2021.

Rene Solos-
Plaintiff

Attachment - 1
(At. - 1)

	<p>Patient Name: Solis, Rene Book- in Number: 18030540 Date of birth: Age: 46 Race: White Sex: Male Jail Tower: WT Tank: 2P03 AIS Number: 5022533 Date: 1/28/19</p>
<p>Complaint: X Medical Psychiatric Concern: Good morning,</p> <p>The USMS was notified that Rene SOLIS (USM # 57112-177/BIN: 18030540) was involved in an altercation that subsequently resulted in him being transported to Parkland medical.</p> <p>Can I get some information on the incident?</p> <p>As a reminder, the USMS is supposed to be notified when USMS inmates are involved in altercations and/or sent to medical.</p> <p>Respectfully,</p> <p>Ray Venegas (A) Supervisory Deputy United States Marshal United States Marshals Service Northern District of Texas – Dallas Division</p>	

A+-1, Pg 1

KITES Medical Psychiatric None Number of KITES submitted-				
Date Written	Date of response	Response		
		Nursing Protocol Initiated – Provider Visit Requested- Date of Provider Visit: Provider Visit Requested - <input type="radio"/> Refused		
		<input type="radio"/> Nursing Protocol Initiated- <input type="radio"/> Provider Visit Requested- <input type="radio"/> Date of Provider Visit : <input type="radio"/> Refused		
		<input type="radio"/> Nursing Protocol Initiated- <input type="radio"/> Provider Visit Requested Date of Provider Visit : <input type="radio"/> Refused		
		<input type="radio"/> Nursing Protocol Initiated <input type="radio"/> Provider Visit Requested <input type="radio"/> Date of Provider Visit : <input type="radio"/> Refused		
		<input type="radio"/> Nursing Protocol Initiated <input type="radio"/> Provider Visit Requested <input type="radio"/> Date of Provider Visit : <input type="radio"/> Refused		
Provider Visit x Medical Psychiatric Dental Refused Date of Refusal:				
Date Seen	Specialty Clinic Referral	Medications Ordered	Meds Delivered	Follow-up
1/13/19	X Yes No	X Yes No	X Yes No	X Yes No 1/30/19

At. - 1 - Pg. 2

Seen by ACC provider on 1/13/19. Per provider note: Per DSOs, he was hand cuffed and other inmate suddenly came and punched at his face and hit him on the floor. Patient denies LOC but complains of pain at R shoulder and swelling with pain at R wrist. Was given pain meds and sent to PMH. At PMH x-rays were negative for fracture and dislocation. Patient returned with minimal pain at right shoulder and wrist.

See Next Pages :

1) At 1, Pg. 4

Pg. 5

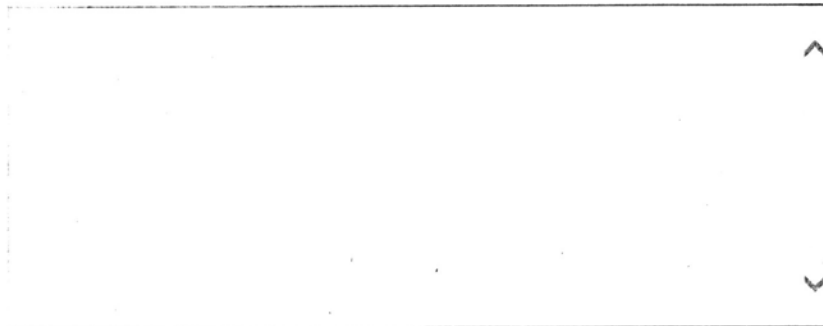
Pg. 6

At. 1 - Pg. 3

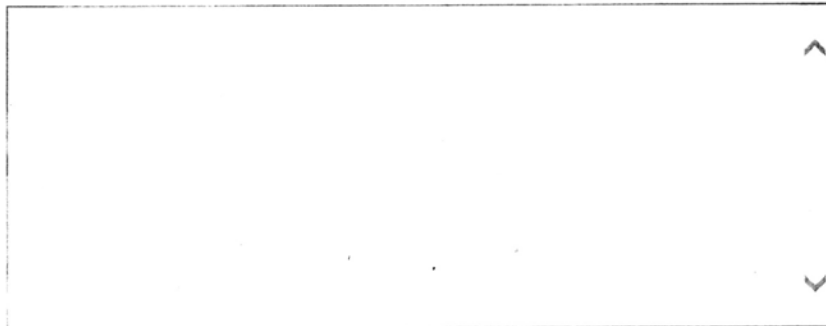
PART A. THE OFFENSE

Charges and Conviction

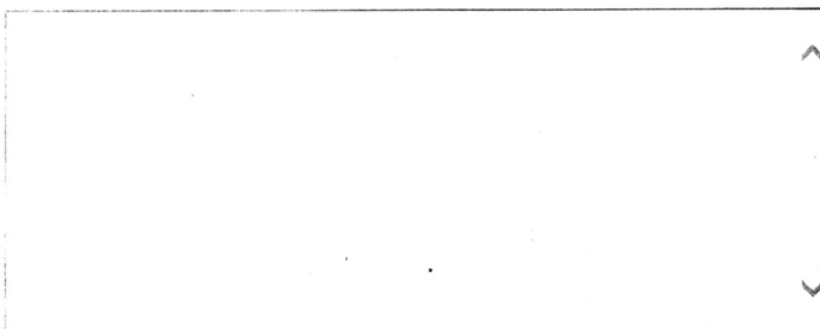
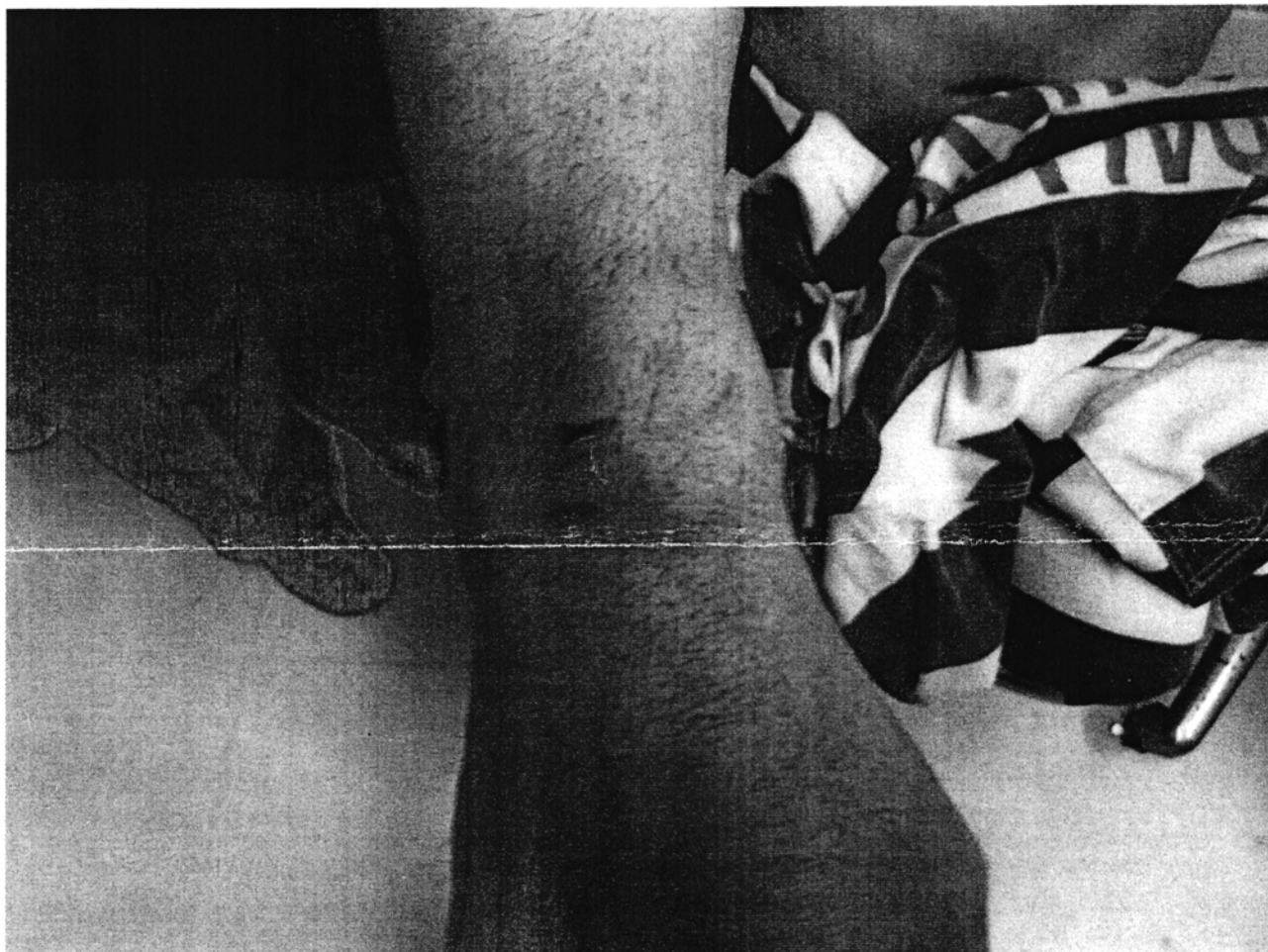
1. The defendant, **Rene Solis (Solis)**, indicated during the presentence interview that, while born male, *identifies as being of female gender* he identifies as being of the female gender, although he noted he has not undergone any gender reassignment surgery nor intends to do so. In light of this, going forward, this officer refers to **Solis** using feminine pronouns throughout this report.
2. On April 11, 2018, **Solis** and codefendants Jerry Dewayne Cox (Cox), Ralph Jay Adams a.k.a. Evil (Adams), Justin Mark Nelson a.k.a. Animal (Nelson), Jerry Wayne Lunsford a.k.a. Looney (Lunsford), Amanda Gallippo (Gallippo), Joshua David Lane (Lane), Craig Gibson Wilbur a.k.a. Wheezy (Wilbur), Maricella Nicole Segoviano (Segoviano), James Dayton Andersen, a.k.a. "Popeye" (Andersen), Donald Franklin Williams (Williams), Tanya Lynn Scroggins a.k.a. Tanya Lynn Burns (Scroggins), Matthew Randall Agan (Agan), Justin Ray Monroe (Monroe), Miriam Crystal Herrera (M. Herrera), Heather Michelle Bernhagen (Bernhagen), William Douglas Bourne (Bourne), Jerry Cardenas, Jr. (Cardenas), Priscella Marie Castaneda (Castaneda), Sarah Marie Chamberlain a.k.a. Sarah Marie Hammons (S. Chamberlain), Anthony Ray Chamberlain a.k.a. Big Ant (A. Chamberlain), Joshua Lynn Clayton a.k.a. Joker (Clayton), Amber Cherie Cook (A. Cook), Stephen Bradley Cook (S. Cook), Shawn Allen Davis a.k.a. Suicide (Davis), Billy Joe Duke (Duke), Alexandra Nichole Dyer a.k.a. NaNa (Dyer), Vincent Daniel Fanus (Fanus), Forrest Geffert a.k.a. Diamond (Geffert), Tyler Jacob Gehrke a.k.a. Greedy (Gehrke), Eric Phillip Gross (Gross), Jeffrey Scott Hatfield (Hatfield), John Paul Henderson a.k.a. JP (Henderson), Elissa Segovia Herrera (E. Herrera), Randi Michelle Jackson (Jackson), Jason Jaime (Jaime), Garry Cody Jones (Jones), Adam Tyler Lambert (Lambert), Christopher Dean Lancaster (Lancaster), Jason Davon Laurenson (Laurenson), Francisco Jacobo Maestas a.k.a. Freaky (Maestas), Arthur Marin, Jr. (Marin), Derrick Shawn McCoy a.k.a. Taz (McCoy), Ashley Renee Merritt (Merritt), Jorge Alberto Nevarez (Nevarez), Ashley Nicole Norris (Norris), Kristen Blaze O'Meara a.k.a. Purple (O'Meara), Michelle Marie Pace (Pace), Lawrence Bryce Probeck (Probek), Gary Wayne Ratliff a.k.a. Bama (Ratliff), Bailey Wayne Sanders (Sanders), Jeffrey David Staley (Staley), Nghia Phuoc Tran (Tran), Josiah David Phillips (Phillips), Jose Luiz Zavala a.k.a. Wicho (Zavala), Andria Dolores Boucher (Boucher), and Corey Evan Robeson a.k.a. Face (Robeson) were named in a 55-count Third Superseding Indictment filed in the Dallas Division of the Northern District of Texas.
3. Count 1 charged Adams, Nelson, Lunsford, and Gallippo with Conspiracy to Commit Kidnapping and Aiding and Abetting in violation of 18 U.S.C. §§ 2 & 1201(a)(1) & (c). Specifically, in or about January 2018 and February 2018, Adams, Nelson, Lunsford, and Gallippo knowingly and willfully combined, conspired, and agreed with each other and other persons, known and unknown, to commit kidnapping, that is, to seize, confine, kidnap, and hold an individual known as Victim A for some purpose and benefit, that is to obtain money or drugs that the defendants believed was in the custody or control of Victim A, and the defendants did use instrumentalities of interstate commerce, to wit: (1) a firearm, and (2) cellular telephones, in committing and in furtherance of the commission of this offense.



At. 1, Pg. 4



At. 1-Pg. 5



At. -1, Pg 6

The PLRA requires individuals to use the grievance procedure before coming before the Courts unless the individual is denied the ability to do so.

In the immediate case the individual filing this civil suite has been denied the ability to use the grievance Procedures by the Dallas County Jail Officers.

The following is the recognition that the assault occurred as well as the grievance that was accepted and returned un-answered as officers tried to stop Rene Solis from moving forward with the complaint/grievance procedure.

"EXHIBIT A"
Incident Report
and
Investigation Information



Incident Report

Date: 01/13/2019 **Time:** 16:25:00 **Report:** N1900538
Inmate Name: RENE SOLIS **Location:** NORTH TOWER
Race: W **Gender:** M **Bookin Number:** 18030540
Quarters: **DOB:** [REDACTED] **ID#:**
Comments: Injured Inmate **Violation:** : NONE
Narrative:

1 On 01/13/2019 at approximately 3:15 p.m. in the hallway outside of the 2 West nurse station, an inmate, later
2 identified by armband as Wheaton, Deaaron #19002053 arrived to the floor as a transfer. As Wheaton walked onto the
3 floor he hit another inmate with a closed fist. Officer back up was called via radio. The other inmate was identified by
4 armband as Solis, Rene #18030540. Solis was handcuffed and waiting his turn for the medical nurse when assaulted.
5 Solis fell to the ground and injured his right shoulder and right wrist due to being hit by Wheaton. Photos were taken
6 and uploaded to the network drive by DSO K. Smith #8979, DSO S. McVay #8693, DSO J. Barber #9076 and I
7 escorted Solis to the 2 West nurse station where he was seen by Registered Nurse (RN) B. Nicoll. B. Nicoll RN
8 determined Solis needed further treatment in the Acute Care Clinic (ACC). A down and out slip was generated. Solis
9 completed an affidavit and it is attached to this report. Solis was escorted by SRT L. Sanders #8072 to ACC where he
10 was seen by Nurse Practitioner (NP) A. Shabbir. A Shabbir NP determined Solis receive further treatment at Parkland
11 Memorial Hospital (PMH). Solis went to PMH via squad at approximately 3:44 p.m. and escorted by DSO T.
12 Efunniga #8575. DSO J. Barber 9076 and DSO J. Whisman #8825 took Wheaton to the ground and placed him in a
13 shoulder lock for handcuffs to be applied. DSO J. Barber #9076 placed handcuffs on Wheaton. Lt. J. Watson #5117,
14 Sgt. D. Widemon #6570 and Sgt. R. Saldibar #7732 arrived to the floor with additional officers. Wheaton continued to
15 be combative and was placed in a restraint chair by SRT J. Mosley #4208, SRT L. Sanders #8072 and SRT J.
16 Hernandez #8962 with A. Felan Licensed Vocational Nurse (LVN) checking the restraints at approximately 3:20 p.m.
17 A restraint log was generated and is attached to this report. The radio room was called and service number 19-005619
18 was generated. A RMS report was generated and a copy is attached to this report. J. Cox #435 with CID was
19 contacted and well as J. Ludwig #691 with PES.

Sgt. D. Widemon #6570
3RD WATCH NORTH TOWER

DSO J. Potts #8594
3RD WATCH NORTH
TOWER

Supervisor

Reporting Officer

Reviewed / DTO _____ SGT _____ LT _____ CAPT _____ CHIEF _____

Pg. 9-A

Seen by ACC provider on 1/13/19. Per provider note: Per DSOs, he was hand cuffed and other inmate suddenly came and punched at his face and hit him on the floor. Patient denies LOC but complains of pain at R shoulder and swelling with pain at R wrist. Was given pain meds and sent to PMH. At PMH x-rays were negative for fracture and dislocation. Patient returned with minimal pain at right shoulder and wrist.

	<p>Patient Name: Solis, Rene Book- in Number: 18030540 Date of birth: Age: 46 Race: White Sex: Male Jail Tower: WT Tank: 2P03 AIS Number: 5022533 Date: 1/28/19</p>
<p>Complaint: X Medical Psychiatric Concern: Good morning,</p> <p>The USMS was notified that Rene SOLIS (USM # 57112-177/BIN: 18030540) was involved in an altercation that subsequently resulted in him being transported to Parkland medical.</p> <p>Can I get some information on the incident?</p> <p>As a reminder, the USMS is supposed to be notified when USMS inmates are involved in altercations and/or sent to medical.</p> <p>Respectfully,</p> <p>Ray Venegas (A) Supervisory Deputy United States Marshal United States Marshals Service Northern District of Texas – Dallas Division</p>	

KITES Medical Psychiatric None Number of KITES submitted-				
Date Written	Date of response	Response		
		Nursing Protocol Initiated – Provider Visit Requested- Date of Provider Visit: Provider Visit Requested - <input type="radio"/> Refused		
		<input type="radio"/> Nursing Protocol Initiated- <input type="radio"/> Provider Visit Requested- <input type="radio"/> Date of Provider Visit : <input type="radio"/> Refused		
		<input type="radio"/> Nursing Protocol Initiated- <input type="radio"/> Provider Visit Requested Date of Provider Visit : <input type="radio"/> Refused		
		<input type="radio"/> Nursing Protocol Initiated <input type="radio"/> Provider Visit Requested <input type="radio"/> Date of Provider Visit : <input type="radio"/> Refused		
		<input type="radio"/> Nursing Protocol Initiated <input type="radio"/> Provider Visit Requested <input type="radio"/> Date of Provider Visit : <input type="radio"/> Refused		
Provider Visit x Medical Psychiatric Dental Refused Date of Refusal:				
Date Seen	Specialty Clinic Referral	Medications Ordered	Meds Delivered	Follow-up
1/13/19	X Yes No	X Yes No	X Yes No	X Yes No 1/30/19

Identifying Data:

Date of Birth: April 12, 1972
Alias Date of Birth: February 18, 1969
February 18, 1970
April 12, 1975
February 8, 1979
November 23, 1980
Age: 47
Race: White
Hispanic Origin: Hispanic origin
Sex: Male (transgender)

SSN#: 534-32-4525
Alias SSN#: 460-61-5266
FBI#: 655739FB2
Driver License#: None
USM#: 57112-177
State ID#: TX05970686
ICE#: None
PACTS#: 4770453

Education: Some college (unverified)
Dependents: None
Citizenship: United States (unverified)
Immigration Status: Unknown
Place of Birth: Laredo, Texas (unverified)

Legal Address: Dallas County Jail
111 West Commerce Street
Dallas, Texas 75208

Residence Address: Dallas County Jail
111 West Commerce Street
Dallas, Texas 75208

Aliases: Noe Ovalle, Pedro Rodriguez, Pedro E. Rodriguez, Pedro Enrique Rodriguez, Pedro Enrique Colung Rodriguez, Renee Solis, Kenya Colunga Rodriguez, Enrique Ramirez

Alternate IDs: Tattoo: Left leg - "Josue"
Other Identifiers: Left eye - mole
Eyes: Brown, Hair: Black, Height: 5 feet, 8 inches, Weight: 180 pounds



Restrictions on Use and Rediscovery of Presentence Investigation Report. Disclosure of this presentence investigation report to the Federal Bureau of Prisons and redisclosure by the Bureau of Prisons is authorized by the United States District Court solely to assist administering the offender's prison sentence (i.e., classification, designation, programming, sentence calculation, pre-release planning, escape apprehension, prison disturbance response, sentence commutation, or pardon) and other limited purposes, including deportation proceedings and federal investigations directly related to terrorist activities. If this presentence investigation report is redisclosed by the Federal Bureau of Prisons upon completion of its sentence administration function, the report must be returned to the Federal Bureau of Prisons or destroyed. It is the policy of the federal judiciary and the Department of Justice that further redisclosure of the presentence investigation report is prohibited without the consent of the sentencing judge.

"EXHIBIT B"

PLRA Attempt and
Denial of Grievance Process.

Dallas County Sheriff's Department

Inmate Grievance Committee

To: SOLIS , RENE

Book - in # 18030540

Current Assignment WT 2P03

Regarding Grievance 190077

Filed on 1/24/2019

Your Grievance has been received and will be investigated to determine if:

- a) It is a violation of your civil rights;
- b) It is a criminal act;
- c) It is an abridgement of an inmate privilege;
- d) It is a prohibited act committed by a staff member

Response Date 1/24/2019

Your Grievance Committee

Inmate Grievance Complaint Form

Inmate Housing Bureau

From: Full Inmate Name Rene Solis Full Book-In # 18030540
 Current Tank: West 2-P-3 Tank Where Incident Occurred North Tower 2nd Floor Medical
 Date of Incident: 02-13-2019 Time of Incident: ? AM/PM Today's Date: 4-21-2019
 Name of Staff Complained on (if any) Unknown

Statement

Please print or write legibly, include all dates, times and names of persons involved, including the names of witnesses if necessary. Please hand completed grievance to any Deputy, Floor Officer or any Staff Member.

I am filing this grievance in relation to my previous grievance which to this date has not been resolved and for which I have received no notification of a Time Extension. The previous grievance is in relation to the assault and injuries I suffered while in handcuffs in a secure area at the hands of an unhandcuffed inmate. Furthermore to date I have not received the perpetrators name nor the officer(s) who failed to place him in handcuffs and escort him. I have requested these items when I was called to the grievance officers room for questioning. Please inform me of the status of the grievance.

Do not write below this line, write on back if necessary to complete complaint

Do not write in this block, office use only

Received By Officer: X _____	Received By Supervisor: X _____	Received By Medical Staff/Grievance Officer: X _____
Printed Name and Date: X _____	Printed Name and Date: X _____	Printed Name and Date: X _____
Signature/Date	Signature/Date	Signature/Date

Is this a Medical Grievance? Yes or No

File/Attorney

Pg. 16-A

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

Rene Solis 18030540
Plaintiff's Name and ID Number

Big Spring Texas Federal Correctional Institution
Place of Confinement

CASE NO. _____
(Clerk will assign the number)

v.

D.S.O. J. Barber 9076
Defendant's Name and Address

Wheaton, Deaaron 19002053
Defendant's Name and Address

J. Cox 435
Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND IN FORMA PAUPERIS (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.

2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.

3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)

4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ___ YES X NO

B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)

1. Approximate date of filing lawsuit: _____ None _____
2. Parties to previous lawsuit:

Plaintiff(s) _____	None _____
Defendant(s) _____	None _____
3. Court: (If federal, name the district; if state, name the county.) _____ None _____
4. Cause number: _____ None _____
5. Name of judge to whom case was assigned: _____ None _____
6. Disposition: (Was the case dismissed, appealed, still pending?) _____ None _____
7. Approximate date of disposition: _____ None _____

- II. PLACE OF PRESENT CONFINEMENT: _____
- III. EXHAUSTION OF GRIEVANCE PROCEDURES:
Have you exhausted all steps of the institutional grievance procedure? X YES NO
Attach a copy of your final step of the grievance procedure with the response supplied by the institution.
- IV. PARTIES TO THIS SUIT:
- A. Name and address of plaintiff: Rene Solis 57112-177, 1900 Simler Avenue
Big Spring, Texas 79720
- B. Full name of each defendant, his official position, his place of employment, and his full mailing address.
- Defendant #1: D.S.O. J. Barber 9076 - North Tower, Dallas County Jail, P.O. Box
660334, Dallas, Texas 75266-0334
Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.
The negligence of defendant allowed Solis to be assaulted.
- Defendant #2: Deaaron, Wheaton 19002053 - North Tower, Dallas,
County Jail, P.O. Box 660334, Dallas, Texas 75266-0334
Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.
According to disciplinary hearing, Wheaton beat me viciously.
- Defendant #3: Investigator J. Cox 435, North Tower Dallas County Jail, P.O. Box
660334, Dallas, Texas 75266-0334
Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.
This individual refused to answer and allow me to use the grievance
procedures.
- Defendant #4: Sgt. D. Wideman 6570-3rd Watch North Tower, North Tower Dallas
County Jail, P.O. Box 660334, Dallas, Texas 75266-0334
Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.
This defendant's duty is to make sure Barber did his job and to assure the
inmates are all accounted for and secured.
- Defendant #5: Sheriff Marian Brown, 133 N. River-front Blvd. 31, Dallas, Texas
78501
Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.
It is the job of the County Sheriff to assure D.S.O. J. Barber was correctly
trained and to assure the safety of Solis while in the Dallas County's
custody.

The United States Marshal Service is responsible for the safety of inmate Rene Solis and failed to assure Solis' safety by putting Solis in the custody of untrained unprofessional sheriff's Custody, which led to Solis' being assaulted while handcuffed and un-attended. (see case file)

Defendant 6: Unknown

Individual was negligent for not securing inmate Deaaron Wheaton 19002053 who forcibly assaulted Rene Solis inmate 57112-177

Defendant 7: unknown

individual's who were responsible for assuring officer Barber and other officers did their jobs and assured Rene Solis' safety.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

As pointed out in the file included with this Complaint. Rene Solis a federal inmate was handcuffed and left standing out in the hall awaiting his turn to seemedical when high-security inmate deaaron Wheaton attacked Solis. D.S.O. J. Barber 9076 was the officer who handcuffed Solis and went into the medical nurses station and had a conversation with someone else while leaving Solis defenseless and vulnerable. All other officers let Wheaton attack Solis as well.

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like the court to hold all parties accountable for their negligence and to award Solis, Rene for Punitive damages 9 million dollars for allowing Solis a tranny to be assaulted, and so it never happens again.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Pedro Rodriguez, Pedro Enrique Rodriguez, Pedro Colung RoRodriguez, Rene Solis, Kenya Colunga Rodriguez

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

FBI #655739FB2/USM #57112-177/#18030540

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? ____ YES x NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? ____ YES ____ NO

- C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES X NO
- D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)
1. Court that issued warning (if federal, give the district and division): None
 2. Case number: _____ None
 3. Approximate date warning was issued: _____ None

Executed on: 3/16/2020
DATE

Rene Solis
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 16th day of March, 20 20.
(Day) (month) (year)

Rene Solis
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

Rene Solis
FBI Big Spring
1900 Simler Ave
Big Spring, TX 79720

57113-177
~~2020~~

United States District Court
Office of the Clerk
Northern District of Texas
1100 Commerce - Room 1452
Dallas, TX 75242-1495

RECEIVED - 7

MAY 11 2021

MAILROOM

MIDLAND TX 797
THU 06 MAY 2021 PM

